
Appeal Decision

Site visit made on 20 January 2020 by Hilary Senior BA (Hons) MCD MRTPI

by Chris Hoult BA(Hons) BPhil MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 February 2020

Appeal Ref: APP/T4210/D/19/3239361

4 Myrtle Grove, Radcliffe, M45 7RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Peter Barrett against the decision of Bury Metropolitan Borough Council.
 - The application Ref 64338, dated 19 June 2019, was refused by notice dated 28 August 2019.
 - The development proposed is single storey rear extension and double storey side extension to form living space and garage.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension and double storey side extension to form living space and garage at 4 Myrtle Grove, Radcliffe, M45 7RR, in accordance with the terms of the application Ref 64338, dated 19 June 2019 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PL0017/01, PL0017/02, PL0017/03, PL0017/04, PL0017/05, PL0017/06, PL0017/07, PL0017/08, PL0017/09, PL0017/10, PL0017/11, PL0017/13, PL0017/14, PL0017/15, PL0017/16
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The car space to be provided shall be kept available at all times for the parking of motor vehicles by the occupants of the dwelling and their visitors and for no other purpose.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. During the appeal process it was confirmed that Plan reference PL0017/15a, that is referred to on the Council's decision notice, was withdrawn by the appellant and did not form part of its decision. It has therefore not been included in the formal decision above.
4. The address on the application form differs from that on the appeal form and accompanying plans. I have used the address from the application form in the banner heading and formal decision above.

Main Issues

5. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - highway safety with regard to car parking provision

Reasons

Character and appearance

6. Myrtle Grove lies within an established residential area of Radcliffe, characterised by predominantly semi-detached dwellings although there are a mix of design types in the local area.
7. The host dwelling is the left hand side of a pair of semi-detached dwellings as viewed from the street at the front. The appeal proposal includes a rear single storey extension, which the Council indicate is acceptable in terms of any impacts on neighbours' living conditions or on the character and appearance of the area. From what I have read and seen I have no reason to disagree with this assessment. The right hand side dwelling, 2 Myrtle Grove, has previously been extended in very similar manner to that which is proposed here.
8. The Council's Supplementary Planning Document 6: "Alterations and Extensions to Residential Properties (2010)" (SPD) seeks to prevent a terracing effect created when adjacent properties are extended to the plot boundaries. The Council's concern here is about the degree of set back from the plot boundary (with 6 Myrtle Grove) which the SPD advises should be a minimum of 1.5m. It had proposed a relaxation to 0.75m but the plans show a narrower gap. The appellant points out that some degree of space to the boundary would be maintained, the appeal property is in a short run of similar dwelling types and there is an irregular building line generally in the locality.
9. There are certain circumstances where the set-back requirement is relaxed, including in very short rows of houses. The appeal property is in a row of two pairs of semi-detached dwellings, where any appearance of terracing would be limited. The proposed extension would replicate the design of the previously extended dwelling at no. 2, to create a symmetrical appearance in the street scene across both extended dwellings. No. 2 has been extended to its plot boundary, with no set back, but a sizeable gap would nevertheless be maintained to the adjacent property on its side. In this case, any harm caused by the limited potential for terracing would be outweighed by the design and massing of the resultant building and the consequent appearance of symmetry achieved with no. 2.

10. The appeal proposal would retain a narrow gap between the extension and the boundary with No. 6. The driveway to this property abuts the boundary. It would appear from the site visit that this property has not been extended and, should that be proposed, a terracing effect could result. However, there is no evidence of a proposal along these lines and in any event, some form of gap would be retained under the proposal. The benefits of achieving an appearance of symmetry referred to above would outweigh any harm caused by any potential terracing effect.
11. For the reasons outlined above, the proposal would not therefore cause harm to the character and appearance of the area. It would therefore not conflict with saved policies EN1/2 – Townscape and Built Design and H2/3 – Alterations and Extensions of the Bury Unitary Development Plan (1997) which together seek to ensure that extensions are of a high standard and are sympathetic in nature to the original building and surrounding area.

Car parking

12. The Council are concerned that the appeal proposal would result in a reduction of off-road parking available for the occupiers of the dwelling and that there would be insufficient space to park a vehicle on the remaining drive. That said, there is no evidence before me regarding, for example, the level of on-street parking, whether there are any local issues regarding parking or how highway safety may be affected if insufficient off-road space were available.
13. From the site visit it was noted that other dwellings in the vicinity have parking to the frontage without any apparent difficulty and that the proposed extension would not protrude any further forward than the current building line. The existing driveway to the side of the property would be removed, however, there is currently sufficient space for the parking of a vehicle on the driveway in front of the dwelling and the proposal is to create a garage. The plans indicate that the retained driveway would be 4.6m which should be sufficient to accommodate a family sized car
14. For the reasons outlined above, the proposal would not cause harm to highway safety with regard to car parking and would therefore not conflict with saved policies EN1/2 and H2/3 referred to above in so far as they relate to car parking provisions.

Conditions

15. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings in the interests of precision and clarity. I have also imposed a condition relating to materials in the interests of safeguarding the character and appearance of the area.
16. The Council have suggested a pre-commencement condition requesting confirmation that there is sufficient space for parking a vehicle off road. I do not consider this is necessary as other dwellings in the vicinity appear to park vehicles on driveways of similar size. However, a condition requiring a parking space to be maintained following completion of the extension is necessary in the interests of highway safety.

Conclusion and Recommendation

17. For the reasons given above and having regard to all other matters raised, I recommend that the appeal is allowed.

Hilary Senior

APPEAL PLANNING OFFICER

Inspector's Decision

18. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

C M Hoult

INSPECTOR